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EXAMINER

MEHMOOD, JENNIFER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte CURTIS FREEMAN

Appeal 2009-008721
Application 10/574,185
Technology Center 2600

Before CARLA M. KRIVAK, THOMAS S. HAHN, and
CARL W. WHITEHEAD, JR., Administrative Patent Judges.

KRIVAK, Administrative Patent Judge.

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from a final rejection of
claims 1-20. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

STATEMENT OF THE CASE

Appellant's claimed invention relates to an automatic notification produced by stand-alone equipment to indicate the need to return the equipment to an issuing entity (Spec. 1:4-7).

Independent claim 1, reproduced below, is representative of the subject matter on appeal:

1. A method for notification of return of equipment having at least one function to a home station, comprising the steps of:

providing said equipment with an integral reminder alarm and reminder alarm timeout for return of the equipment to the home station, said reminder alarm timeout having a default timeout configuration;

optionally configuring the reminder alarm timeout configuration at the home station;

arming the reminder alarm timeout; and

when the timeout expires, generating the reminder alarm from the equipment to return the equipment to the home station.

REJECTIONS AND APPELLANT'S CONTENTION

The Examiner rejected claims 1, 2, 4, 6, 7, 11, 12, 14, 16, and 17 under 35 U.S.C. § 103(a) based upon Scott (US 6,320,505 B1) and Suzuki (US 6,317,045 B1).

The Examiner rejected claims 3 and 13 under 35 U.S.C. § 103(a) based upon Scott, Suzuki, and Scop (US 5,283,546).

The Examiner rejected claims 5 and 15 under 35 U.S.C. § 103(a) based upon Scott, Suzuki, and Shankarappa (US 5,877,676).

The Examiner rejected claims 8, 9, 18, and 19 under 35 U.S.C. § 103(a) based upon Scott, Suzuki, and Maloney (US 2005/0156740 A1).

The Examiner rejected claims 10 and 20 under 35 U.S.C. § 103(a) based upon the teachings of Scott, Suzuki, and Bormaster (US 2002/0158751 A1).

Appellant contends Suzuki fails to disclose a reminder alarm timeout in the equipment to be returned (App. Br. 7).

ANALYSIS

The Examiner finds Scott discloses a reminder alarm with a default timeout configuration for notification to return equipment (a video cassette) to a home station, but not a reminder alarm integral with the equipment. The Examiner relies on Suzuki for this feature (Ans. 3-4) and asserts the claims only require the reminder alarm, but not the reminder alarm timeout, to be integral with the equipment (Ans. 8).

Appellant argues Suzuki's voice guide player does not include a reminder alarm timeout integral with the player. Appellant further argues Suzuki discloses transmitting a signal to a voice guide player alarm when the player passes a transmitter, rather than generating an alarm in the player after a certain amount of time has elapsed, as in the claimed invention. (App. Br. 7) We agree.

Claim 1 requires the equipment have "an integral reminder alarm and reminder alarm timeout . . . said reminder alarm timeout having a default timeout configuration." Claim 11 requires a similar limitation. The Examiner has not shown it was obvious to include a reminder alarm with a timeout feature in equipment to be returned. That is, the Examiner has not

explained why it would be obvious to make Scott's reminder alarm, including the timeout configuration, integral with Scott's video cassette in view of Suzuki. The other cited references likewise fail to cure this deficiency.

Therefore, claims 1 and 11, and claims 2-10 and 12-20, which depend therefrom, are not obvious over the cited references.

DECISION

The Examiner's decision rejecting claims 1-20 is reversed.

REVERSED

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